



**Dated: October 25, 2023**  
**The following is ORDERED:**

A handwritten signature in black ink, appearing to read "M. Ruthie Hagan".

**M. Ruthie Hagan**  
**UNITED STATES BANKRUPTCY JUDGE**

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

**IN RE:**  
**HOLIDAY HAM HOLDINGS, LLC**

Case No. 23-23313-MRH

Debtor.

Chapter 11, Subchapter V

**INTERIM ORDER ON EXPEDITED MOTION TO SELL SUBSTANTIALLY ALL OF  
THE ASSETS OF HOLIDAY HAM HOLDINGS, LLC, FREE AND CLEAR OF LIENS,  
CLAIMS AND INTERESTS, WITH LIENS ATTACHING TO PROCEEDS OF SALE  
OUTSIDE ORDINARY COURSE OF BUSINESS PURSUANT TO 11 U.S.C. SECTION 363  
AND ASSUMPTION AND ASSIGNMENT OF EXECUTORY CONTRACTS  
PURSUANT TO 11 U.S.C. SECTION 365**

Upon motion being filed by Holiday Ham Holdings, LLC, the Debtor-in-Possession ("Debtor") on September 27, 2023 (ECF # 101) pursuant to 11 U.S.C. Sections 363 and 365 and Fed. Rule of Bankr. Proc. 4001 and 9014 (hereafter "Motion") filing said Motion to Sell Substantially All of the Assets Owned by Holiday Ham Holdings, LLC, Free and Clear of Liens, Claims and Interests, with Liens Attaching to Proceeds of Sale, Outside the Ordinary Course of Business Pursuant to 11 U.S.C. Section 363 and Assumption and Assignment of Executory Contracts Pursuant to 11 U.S.C. Section 365 (the "Motion") in the above named and numbered case. Objections were filed to the Motion by United States Trustee for Region 8 (US Trustee), Pinnacle Bank, Subchapter V Trustee and Erinway Partners LP. Upon

appropriate notice and hearing on October 18, 2023, the Court, after statements of counsel and proffer of proof, finds such motion well taken and finds and concludes as follows:

#### JURISDICTION AND VENUE

1. This Court has jurisdiction of the subject matter herein and the parties hereto pursuant to 28 U.S.C. §§157 and 1334; 11 U.S.C. §§105, 363, 365, 1106, 1108, 1183 and 1184 and related statutes and rules, as well as various orders of reference. This is a core proceeding.

#### BACKGROUND

2. On July 7, 2023, Holiday Ham Holdings, LLC (“Debtor”) filed a petition under Chapter 11, Subchapter V of the United States Bankruptcy Code and such petition was granted on same date. No Trustee or Committee has been appointed as of the filing of this Motion herein and Debtor remains as Debtor in Possession.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Court finds on an Interim Order as follows:

1. The Court enters this Interim Order on a limited basis to approve the sale procedures as set forth in Motion which are approved for auction of substantially all assets, with said auction to proceed on October 26, 2023 beginning at 9:00 a.m. to be held under terms with Jeff Morris and Morris Realty and Auction with provision there shall be a minimum bid of \$75,000 on each store, or no less than \$150,000 total, subject to final hearing to approve the proposed sale, including any proposed assumption and assignment of leases or executory contracts to which Debtor is a party, to be held on Friday, October 27, 2023 at 11:00 a.m. before the Honorable Ruthie Hagan.
2. All liens attach to the proceeds with Pinnacle Bank have first and prior lien on said proceeds.
3. Counsel for Debtor will file Notice of Sale and Proceeds upon receipt but no later than October 26, 2023 at 5:00 p.m. and any objections to the Sale by any creditor or party in interest shall be filed with the Court no later than October 26, 2023 at 5:00 p.m.

4. The Court finds that Notice of the Motion and Notice of Hearing was served on all parties and creditors in this matter and is sufficient to approve the Sale Procedures and Sale.

Approved for Entry,

/s/ Toni Campbell Parker

**TONI CAMPBELL PARKER (TN # 6984)**

ATTORNEY FOR CHAPTER 11 Debtor 45

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Secured Creditors of Debtor

Twenty Largest Unsecured Creditors

All Creditors and Parties on Mailing Matrix